

EXHIBIT 91

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

STATES OF NEW YORK,
MASSACHUSETTS,
WASHINGTON, COLORADO,
CONNECTICUT, DELAWARE,
DISTRICT OF COLUMBIA,
HAWAII, ILLINOIS, IOWA, NEW
MEXICO, NORTH CAROLINA,
OREGON, PENNSYLVANIA,
RHODE ISLAND, VERMONT, and
VIRGINIA,

Plaintiffs,

v.

DONALD TRUMP, in his official
capacity as President of the United
States; U.S. DEPARTMENT OF
HOMELAND SECURITY; ELAINE
C. DUKE, in her official capacity; U.S.
CITIZENSHIP AND IMMIGRATION
SERVICES; U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT;
and the UNITED STATES OF
AMERICA,

Defendants.

CIVIL ACTION NO. 1:17-cv-05228
(NGG) (JO)

1 Pursuant to 28 U.S.C. § 1746(2), I, Kimberly Ann Garza, hereby declare as follows:

- 2 1. I am over the age of eighteen and competent to testify herein.
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- 4 2. I am employed at Big Bend Community College. My job title is Vice-President of Human
5 Resources & Labor. In this position, I report to the college President and have
6 administrative responsibility for developing, implementing and maintaining a full range
7 of human resource programs and services including planning, recruitment, benefits,
8 leaves, compensation, contracts, classification, training, disciplinary actions, affirmative
9 action/equal employment opportunities, employee and labor relations, complaint
10 investigations, and adherence to applicable laws and regulations.
- 11 3. There are at least 1 full-time and 3 part-time employees at Big Bend Community College
12 who are recipients of Deferred Action for Childhood Arrivals (DACA).
- 13 4. These employees provide direct services to students in areas such as academic support,
14 financial aid, and student programs.
- 15 5. Big Bend Community College spends time and resources to recruit, hire, train, and
16 supervise employees. When any employee departs, it creates disruption for our agency and
17 costs us time and resources to replace and train that person.
- 18 6. The termination of DACA will be disruptive to operations, have a negative impact on the
19 students we serve, and cause us to expend additional resources.

20 I declare under penalty of perjury that the foregoing is true and correct.

21 Executed on this 1 day of September, 2017

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[Name]